

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

COLE PECK,  
  
Plaintiff,

v.

ASSET MANAGEMENT ASSOCIATES,  
LLC,  
  
Defendant.

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Civil Action No. 3:17-CV-2923-N

**FINAL JUDGMENT**

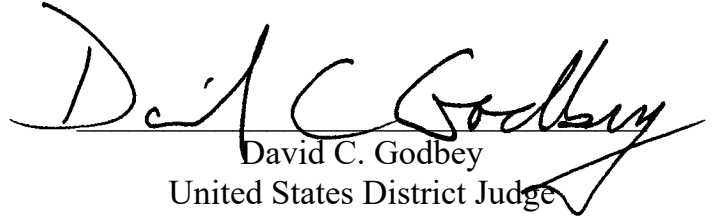
By Order dated July 18, 2018, the Court granted Plaintiff/Counter-Defendant Cole Peck and Counter-Defendants Ja Lynn Kuo, Karen Kuo, Subho Mullick, James Fletcher III, Salima Thobani, and Gary Mark Wilson’s (collectively, the “Guarantors”) motion to dismiss Defendant Asset Management Associates, LLC’s (“AMA”) counterclaim for alleged past-due rent accruing before March 6, 2017 [17]. The Court also *sua sponte* dismissed Peck and AMA’s declaratory judgment claims regarding future liability under the Guaranty of the lease for obligations arising after March 6, 2017. The Guarantors’ contribution claims in their Third Party Complaint [21] were contingent on these dismissed claims and are therefore moot. By separate Order of this same date, the Court grants summary judgment *sua sponte* on Peck’s remaining claim for declaratory judgment.

It is therefore ordered that: (1) AMA’s counterclaim for breach of the Guaranty for past-due rent accruing before March 6, 2017 is denied; (2) AMA’s counterclaim for declaratory judgment regarding future liability under the Guaranty is denied; (3) Peck’s claim

for declaratory judgment regarding future liability under the Guaranty is denied; (4) the Guarantors' contribution claims are denied as moot; and (5) Peck owes nothing under the Guaranty for rent accruing on or before March 6, 2017.

All relief not expressly granted is denied. This is a final judgment.

Signed October 12, 2018.

  
David C. Godbey  
United States District Judge